

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/825,449	Confirmation No.	8320
Applicant	: Paul M. Carpenter		
Filed	: April 15, 2004		
TC/A.U.	: 2129		
Examiner	: Li Wu Chang		
Docket No.	: 291010-00035		
Customer No.	: 07380		

Commissioner for Patents
Alexandria, VA 22313-1450
U.S.A.

EXAMINER INTERVIEW SUMMARY: Examiner Interview between Allan Brett, David

Jenkins and Examiner Chang conducted May 12, 2009

Dear Sir:

Applicant thanks the Examiner for the opportunity to discuss this matter after final.

We discussed the fact that claim 1 employed two different channels for the SIR and the push data. The Examiner indicated that he did not think that the claim as it currently read made it clear that that was the case. Applicant suggested an amendment indicating that the bearer be "distinct from" the connection-oriented signaling channel, and the Examiner indicated that this would help.

We discussed that OTAHTTP was the closest prior art. That reference teaches sending an SIR by a connection-oriented signaling channel if such channel already exists, and then sending data on a connection-oriented channel. However, we discussed there is no suggestion in OTAHTTP that the channel is set up specifically for that purpose. Furthermore, there is no suggestion of using USSD to send the SIR.

We also discussed Lewontin. The Examiner was equating the connection-oriented channel of Lewontin to the connection-oriented signaling channel set up to send the SIR in Applicant's claim 1. Applicant clarified that the connection-oriented channel of Lewontin was not a "signaling channel", but was a channel used to transmit the push data *per se* after a previous SIR had already been sent. As such, the connection-oriented channel is closer to being analogous to the "bearer" of claim 1, than the connection-oriented signaling channel used to transmit the SIR. The Examiner appreciated this difference. Finally, it was conceded by the Examiner that reference OTAHTTP may not be an enabling disclosure.

Respectfully submitted,

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